

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RODOLFO MENDOZA-QUINTANA and
 VERONICA MENDOZA,

Plaintiffs,

v.

COUNTRYWIDE BANK, et al.,

Defendants.

3:12-cv-25-RCJ-WGC

ORDER

On December 5, 2011, Plaintiffs Rodolfo Mendoza-Quintana and Veronica Mendoza (collectively "Plaintiffs") filed a complaint in Nevada state court against Countrywide Bank; BAC Home Loans Servicing; Bank of America, N.A.; Bank of America Corporation; Mortgage Electronic Registration Systems, Inc. ("MERS"); ReconTrust Company; and National Default Services Corporation (collectively "Defendants"). (Compl. (#1-1) at 1). The complaint contains three causes of action related to the foreclosure of Plaintiffs' home. (*Id.* at 7-9). The dispute was then removed to this Court on January 13, 2012. (Pet. for Removal (#1)).

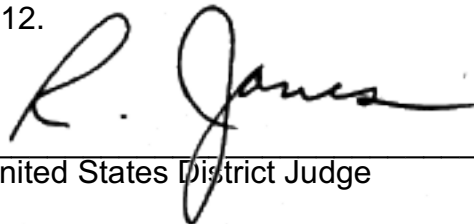
On January 19, 2012, Defendants MERS, ReconTrust, Bank of America Corporation, and Bank of America, N.A., for itself and as successor by merger to BAC Home Loans Servicing and Countrywide Bank filed a motion to dismiss for failure to state a claim. (Mot. to Dismiss (#3)). The remaining Defendant, National Default Services Corporation, filed a similar motion to dismiss for failure to state a claim on March 5, 2012. (Mot. to Dismiss (#11)). Plaintiffs did not respond to either motion to dismiss nor did they appear at the hearing held on May 7, 2012.

1 Under Nevada Local Rule 7-2(d), "[t]he failure of an opposing party to file points and
2 authorities in response to any motion shall constitute a consent to the granting of the motion."
3 The "[f]ailure to follow a district court's local rules is a proper ground for dismissal." *Ghazali*
4 *v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995).

5 Plaintiffs here have failed to respond to Defendants' motions to dismiss. Under Nevada
6 Local Rule 7-2(d), Plaintiffs are therefore deemed to consent to the granting of the motions
7 to dismiss. Accordingly, the Court dismisses the complaint against all Defendants with
8 prejudice.

9 For the foregoing reasons, IT IS ORDERED that Defendants' motions to dismiss (##3,
10 11) are GRANTED and that the complaint is hereby dismissed with prejudice.

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12 DATED: This 3rd day of August, 2012.

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15 United States District Judge
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